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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/708,599	11/09/2000	Toshihiko Oda	197894US2	1501

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EXAMINER

HILLERY, NATHAN

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

HL

Office Action Summary

Application No.

09/708,599

Applicant(s)

ODA, TOSHIHIKO

Examiner

Nathan Hillery

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 4/30/04.
2. Claims 1 – 13 are pending in the case. Claims 1, 5, 9 and 10 are independent.
3. The rejection of claims 1 – 9 under 35 U.S.C. 101 as being nonstatutory has been withdrawn as necessitated by amendment.
4. The rejection of claims 1 – 13 under 35 U.S.C. 103(a) as being unpatentable has been withdrawn as necessitated by amendment.

Drawings

5. In addition to Replacement Sheets containing the corrected drawing figure(s), applicant is required to submit a marked-up copy of each Replacement Sheet including annotations indicating the changes made to the previous version. The marked-up copy must be clearly labeled as "Annotated Sheets" and must be presented in the amendment or remarks section that explains the change(s) to the drawings. See 37 CFR 1.121(d)(1). Failure to timely submit the proposed drawing and marked-up copy will result in the abandonment of the application.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
7. Claims 1 – 13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to

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one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The subject matter that is not adequately described is "the abstract link including a link establishing condition for establishing a plurality of document links..." (Claim 1, lines 4 – 6 and similarly with claims 5, 9, and 10). The specification states, "The abstract link is a description of a document link including such a link establishing condition as described above" (p 8, lines 7 – 9). Further, the specification states, "The link establishing condition describes the document elements which are related to each other via a link..." (p 7, lines 22 – 23).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1 – 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loke et al. (Logic Programming with the World-Wide Web).

10. ***Regarding independent claim 1***, Loke et al. teach that *each visited page is parsed for its link information, which is stored as facts of the form link (<label>, <URL>)* ... *Also, the located_at/2 facts of relevant pages are used as pointers to other pages to visit ... In general, more complex parsing can be carried out, and more complex link relations constructed. Each located_at/2 fact establishes a relationship between the page containing it and the page whose URL is an argument of the fact. This indicates how LP can be used to enrich the relationship between pages* (page 8, second and third

block paragraphs) and a query to display all animal images is expressed as the goal pics ("animal"). When applied to the animals.html page, it causes URLs to be collected from the pic_doc/1 facts. Get_images/4 then collects animal images from the part/3 facts in the modules addressed by the URLs. make_page/3 (definition not given) constructs a HTML document from the image data. display_data/1 displays the resulting HTML page using Mosaic. The use of the operator #> to retrieve part/3 facts from different Web pages should be noted. This example also demonstrates the LogicWeb ability to combine components of different pages into a new page (p 3, third block paragraph), which provide for **describing an abstract link in the first document, the abstract link including a link establishing condition for establishing a plurality of document links between each of a plurality of portions having same information in the first document and the portion of the second document; and establishing the plurality of document links between the plurality of portions of the first document and the portion of the second document when the portion of the second document is to be referred to by the plurality of portions of the first document.** Loke et al. do not explicitly say **abstract link**. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to use and/or modify the link disclosed by Loke et al. as an abstract link, since Loke et al. teaches that *demo (M, T#>G) :- T=m_id(URL), ...* (page 6, under the Meta-Interpreter section), which reads on **an abstract link** as defined by Applicant (p 8, lines 7 – 9).

11. **Regarding dependent claim 2**, Loke et al. do not explicitly teach **a Horn clause predicate expression**. However, it would have been obvious to one with ordinary skill

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in the art at the time of the invention to recognize that *demo* ($M, T \# > G$) :- $T = m_id(URL)$, ... (page 6, under the Meta-Interpreter section) provides that ***the abstract link describes a nature of document elements of the first document of the link source and the second document of the linking destination according to a Horn clause predicate expression.***

12. ***Regarding dependent claim 3***, Loke et al. teach that *the relevance measure of a page is the number of mentions of the keywords from the initial list, or of keywords related to a keyword in the original list. This notion of 'relatedness' is defined using related/2 facts. Each visited page is parsed for its link information, which is stored as facts of the form link (<label>, <URL>) ... Also, the located_at/2 facts of relevant pages are used as pointers to other pages to visit ... In general, more complex parsing can be carried out, and more complex link relations constructed. Each located_at/2 fact establishes a relationship between the page containing it and the page whose URL is an argument of the fact. This indicates how LP can be used to enrich the relationship between pages ... Note that M is instantiated to different module identifiers upon backtracking, allowing a search through all the existing related/2 facts. As the set of related/2 facts grow, a call to path_related/3 can succeed even if an earlier call with the same arguments failed (page 8, first block to fifth block), which provide for ***the abstract link derives document elements of the first document of the link source and the second document of the linking source documents satisfying the link establishing condition on a basis of a backtrack evaluation and a calculation to bind a variable based upon the document information retrieval.****

13. **Regarding dependent claim 4**, Loke et al. do not explicitly teach ***an atom predicate***. However, Loke et al. do teach that *the predicate web_load_doc/1 fetches the Web page of the given URL and installs it* (page 6, last block under the Meta-Interpreter section). It would have been obvious to one with ordinary skill in the art at the time of the invention to know that ***the abstract link is described using an atom predicate***, since *the syntax of live clauses has been kept as close as possible to that of ordinary Prolog* (page 6, first block under the Meta-Interpreter section).
14. **Regarding independent claim 5**, the claim incorporates substantially similar subject as claim 1 and is rejected along the same rationale.
15. **Regarding dependent claim 6**, the claim incorporates substantially similar subject as claim 2 and is rejected along the same rationale.
16. **Regarding dependent claim 7**, the claim incorporates substantially similar subject as claim 3 and is rejected along the same rationale.
17. **Regarding dependent claim 8**, the claim incorporates substantially similar subject as claim 4 and is rejected along the same rationale.
18. **Regarding independent claim 9**, the claim incorporates substantially similar subject as claim 1 and is rejected along the same rationale.
19. **Regarding independent claim 10**, the claim incorporates substantially similar subject as claim 1 and is rejected along the same rationale.
20. **Regarding dependent claim 11**, the claim incorporates substantially similar subject as claim 2 and is rejected along the same rationale.

21. ***Regarding dependent claim 12***, the claim incorporates substantially similar subject as claim 3 and is rejected along the same rationale.

22. ***Regarding dependent claim 13***, the claim incorporates substantially similar subject as claim 4 and is rejected along the same rationale.

Response to Arguments

23. Applicant's arguments filed 4/30/04 have been fully considered but they are not persuasive.

24. In response to Applicant's argument that Loke et al. do not disclose or suggest any type of ***abstract link*** (p 8, last paragraph), it should be noted that the specification states, "The abstract link is a description of a document link including such a link establishing condition as described above" (p 8, lines 7 – 9). Further, the specification states, "The link establishing condition describes the document elements which are related to each other via a link, using the Horn clause" (p 7, lines 22 – 23). Further support is provided by the further limitation provided in claim 2, which is taught by Loke et al. as evidenced in the rejection of claim 2 under 35 USC 103(a).

25. In response to Applicant's argument that the outstanding rejection is improper (p 9 first and second paragraphs), it should be noted that the Office would like to clarify that the Office has always interpreted, will continue to interpret, and does interpret the claims in the broadest reasonable sense possible. Furthermore, it should be noted that Applicant agrees, "The claims must be interpreted consistent with the interpretation that those skilled in the art would reach, which applicants submit has been done" (p 9, last sentence, second paragraph).

26. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

27. Applicant's arguments do not comply with 37 CFR 1.111(c) because they do not clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. Further, they do not show how the amendments avoid such references or objections.

Conclusion

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NH


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER